

However, this case also contains unrelated claims. The Court has ordered some of those claims to proceed. Doc. 183. In order to facilitate the orderly resolution of the cases and to ensure justice for all parties, the Court **SEVERS** those unrelated claims. See Fed. R. Civ. P. 21 (“On motion or on its own, the court may at any time, on just terms, add or drop a party. The court may also sever any claim against a party.”); Fed.

R. Civ. P. 42(b) (“For convenience, to avoid prejudice, or to expedite and economize, the court may order a separate trial of one or more separate issues, claims, crossclaims, counterclaims, or third-party claims.”). The Clerk of Court is hereby **DIRECTED** to open a new action for the following claims against the following Defendants: Eighth Amendment excessive force against Defendant Clupper; First Amendment retaliation against Defendants Clupper, Kyles, Powell, and Logan; and Eighth Amendment deliberate indifference to medical needs against Defendant Burnside. The Plaintiff’s Fourteenth Amendment Due Process claims against Defendants Bishop, Chatman, Humphrey, Logan, McMillian, and Powell will remain in 5:15-cv-2. Defendants Clupper, Kyles, and Burnside should be terminated from 5:15-cv-2.

The Defendants shall file such responsive pleadings as may be appropriate under the Federal Rules of Civil Procedure and the Prison Litigation Reform Act. The Court calls the attention of the parties to the discovery schedule set forth in Judge Weigle’s Order and Recommendation (Doc. 12), attached.

SO ORDERED, this 6th day of October, 2017.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT